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HOUSE BILL 2952 By
Williams (Wil)

SENATE BILL 3150
By Ramsey

AN ACT to amend Tennessee Code Annotated, Title 62 and Title 66, relative to the regulation of businesses, trades and professions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 62, is amended by adding Sections 2 through 9 as a new chapter thereto.

SECTION 2. (a) Every license issued by a board, agency or commission pursuant to this title shall be dated and be numbered in the order of issuance, and shall be signed by the executive officer, and by the members of the state board, agency or commission charged with the duty by law of issuing the preliminary certificates.

(b) No license, examination or certification shall be denied to any person for practice of any of the businesses, trades or professions under any of the provisions of this title because such person is not a citizen of the United States, if such person is legally entitled to live within the United States.

SECTION 3. Before issuing any license as provided herein, the license shall be signed by the members of the board, agency or commission of the particular profession, trade or business in which the holder thereof is being licensed.

SECTION 4. (a) A licensee of any branch of a profession, trade or business regulated pursuant to this title whose license has been lost or destroyed may make application to the board, agency or commission of that particular profession, trade or business for a new license. Such application shall be accompanied by an affidavit setting out the facts concerning the loss or destruction of the license.

(b) Any licensee of any branch of a profession, trade or business whose name is changed by marriage or court order may surrender that licensee's license and apply to the board, agency or commission of that particular branch of the profession, trade or business for a new license.

(c) The fee for such new license shall be set by the board, agency or commission issuing such license.

SECTION 5. If any registrant changes address during the year for which any certificate of registration has been issued by any board, commission or agency pursuant to this title, such registrant, within thirty (30) days thereafter, shall notify the appropriate board, commission or agency of such change, whereupon the appropriate board, commission or agency shall issue to such registrant, without additional fee, a duplicate registration certificate for such new location.

SECTION 6. For the purpose of effecting service of process upon a licensee, a board, commission or agency created pursuant to this title may notify the licensee by certified mail, return receipt requested, at the address on file with such board, commission or agency.

SECTION 7. Every person registered to practice pursuant to the provisions of this title shall keep such person's certificate of registration or license displayed in the office or place in which such person practices, in a conspicuous place, and in addition, shall place and keep placed in a conspicuous place at the entrance of such person's office, a sign in intelligible lettering and not less than one inch (1") in height, containing the name of such person.

SECTION 8. The boards, commissions and agencies of the respective branches of professions, trades and professions created pursuant to this title are hereby authorized to

promulgate rules and regulations to regulate the nature, manner, content and extent of advertising by practitioners who are under the jurisdiction of such boards, agencies or commissions.

SECTION 9. (a) Boards, commissions and agencies created pursuant to this title, in addition to the powers and duties expressed in this title with respect to the denial of a license, denial of certificate of registration and suspension or revocation of a license, are empowered to petition any circuit or chancery court having jurisdiction of any person within this state, who is practicing without a license or to whom a license has been denied, or to whom a certificate of registration has been denied, or whose license has been suspended or revoked by action of the division, to enjoin such person from continuing to practice the healing arts, or any branch thereof, within this state.

(b) Jurisdiction is conferred upon the circuit and chancery courts of this state to hear and determine all such causes as equity causes and exercise full and complete jurisdiction in such injunctive proceedings, but nothing in this section shall be construed as conferring criminal jurisdiction upon any court not now possessing such criminal jurisdiction, nor shall any such court, as an incident to the injunctive proceedings herein authorized, have the power to assess the criminal penalties hereinafter set out.

SECTION 10. This act shall take effect upon becoming a law, the public welfare requiring it.